

### REMARKS

In the outstanding Office action dated October 28, 2003, claims 1, 2, 5, 6, 21 and 24 were rejected under 35 U.S.C. § 102(e) as being anticipated by Chuter (U.S. 6,454,795). Additionally, claims 26-31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Chuter in view of Pinchasik et al. (U.S. 5,449,373). In rejecting the claims, the Examiner stated that "When the Chuter stent is collapsed, the circumferential members 16 bend until the opposed contact surfaces come together and then continued deflection of the longitudinal members produce stress at the contact surface to isolate the ends 16 of the longitudinal members 12-14 from stress due to forces associated with collapsing the endoprosthesis."

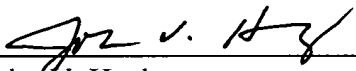
It is again respectfully submitted, however, that the Chuter reference does not teach the isolation of the ends of members of the recited endoprosthesis from stress associated with collapsing the endoprosthesis. In fact, the Chuter reference clearly teaches that as the disclosed stent is compressed adjacent limb elements are pressed against one another at their junctions 20 (Col. 5, Ins. 1 et seq.) and as shown in FIGS. 4a-d, such compression occurs at the short straight segments 16 at the ends of each limb element. In contrast to this, the present application teaches that the ends of beams may be connected in a manner which evenly distributes the stresses incurred by expansion and compression (For example, see pg. 19). As an endoprosthesis is compressed, bending and resulting stresses are concentrated at contact areas removed from the ends of longitudinal members defining the endoprosthesis. As such, the ends of the longitudinal members are isolated from stresses associated with collapsing the endoprosthesis. Accordingly, the Chuter reference neither recognizes nor teaches isolation of ends of longitudinal structures but rather specifically teaches subjecting ends of limb elements to compression forces. Accordingly, it is respectfully submitted that the claims recite subject matter which is patentable over the cited art.

### CONCLUSION

Applicant has attempted to completely respond to the rejections set forth in the outstanding Office action. In view of the above amendments and remarks, Applicant respectfully requests that the application be reconsidered, the claims allowed and the application passed to issue.

Respectfully submitted,

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